

MEMO ENDORSED

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Via ECF and Email (romannysdchambers@nysd.uscourts.gov)

Honorable Nelson Stephen Roman
United States Courthouse
300 Quarropas Street
White Plains, NY 10601-4150

Re: *United States v. Haywood*, 21 Cr. 376 (NSR)

Dear Judge Roman:

I am CJA counsel for Justin Kenyotta Haywood in the above-referenced matter. Sentencing in this matter is currently scheduled for either December 15 or 16, 2021. I write to respectfully request that sentencing be adjourned for 40 days. The government has no objection to this request. Mr. Haywood is presently detained. This is the defense's second request for an adjournment of sentencing.

As the Court is aware, the defense has retained a mitigation expert to assist in preparing a mitigation report for the Court to use at sentencing. As explained in our first request for adjournment, the mitigation expert has been diligently working to obtain key records for Mr. Haywood since she was retained at the start of the summer. Many of the records related to Mr. Haywood's educational, employment, and criminal history are located out of state – in Colorado, Texas, New Jersey, and elsewhere. While the mitigation expert has had some success obtaining these records, she needs additional time to obtain remaining records and prepare a report. In addition, the undersigned needs additional time to review the report and incorporate it into Mr. Haywood's sentencing submission, which is due two weeks prior to sentencing. I further note that I have not yet received the final Presentence Investigation Report. Finally, the undersigned has a potential business trip scheduled that will take me out of town from December 15-17, 2021.

Respectfully submitted,

/s/ J.P.F.

Joseph P. Facciponti

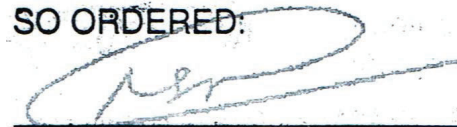
cc: AUSA Kevin Sullivan

Def.'s request to adjourn the in-person Sentencing from Dec. 15 or 16, 2021 until Feb. 2, 2022 at 11:45 am with an alternate date of Feb. 3, 2022 at 11:45 am is GRANTED without objection by the Gov't. Clerk of Court is requested to terminate the motion (doc. 30).

Dated: White Plains, NY

Nov. 29, 2021

SO ORDERED:


HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE

